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Message Text

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42
ACTION COA-01

INFO OCT-01 ARA-10 ISO-00 IO-10 COME-00 OES-04 DLOS-05

INT-05 ACDA-10 SWF-01 CG-00 DOTE-00 CIAE-00 DODE-00

PM-03 H-02 INR-07 L-02 NSAE-00 NSC-05 PA-02 RSC-01

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FM AMEMBASSY CARACAS
TO SECSTATE WASHDC 6499

UNCLAS CARACAS 10896

E.O. 11652: N/A
TAGS: SGEN, VE
SUBJECT: WORLDWIDE STUDY OF MARINE AND SHORELINE RECREATION

REF: STATE 225650

1. ON OCTOBER 22 THE VENEZUELAN CONGRESS BEGAN CONSIDERATION OF A DRAFT LAW PERTAINING TO BEACHES AND ADJACENT AREAS. THIS LAW, IF ADOPTED, WOULD SEEK TO DISTINGUISH BETWEEN THE PUBLIC DOMAIN AND TO DELIMIT AREAS TO BE USED BY PRIVATE INDIVIDUALS. THE TEXT OF THIS LAW IS NOT YET AVAILABLE, BUT THE EMBASSY WILL FORWARD A COPY AS SOON AS IT BECOMES AVAILABLE.

2. HOWEVER, THERE ARE SOME PREVIOUSLY DECREED LAWS PERTAINING TO CONSERVATION THAT ARE ALREADY BEING ENFORCED. IN LATE MAY, 1974, THE ADMINISTRATION OF PRESIDENT CARLOS ANDRES PEREZ BEGAN IMPLEMENTING AN AMBITIOUS CONSERVATION POLICY BY ISSUING A SERIES OF DECREES. DECREE 112 CREATD A SPECIAL COMMISSION WITH THE SPECIFIC AIM OF DEFENDING THE RENEWABLE RESOURCES OF THE VENEZUELAN COASTS AND ISLANDS, ESPECIALLY LAGGOONS NEXT TO THE OPEN SEA, MANGROVES, AND THE FISHES, CORAL AND OTHER MARINE LIFE LOCATED IN SUCH AREAS. ACCORDING TO DECREE 112, THE DIS-
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CHARGES OF PRIVATE, COMMERCIAL AND INDUSTRIAL INSTALLATONS

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WERE THREATENING TO RUIN THE ECOLOGICAL BALANCE OF SUCH WATERS
WITH THE RESULT THAT UNUSUAL BIOLOGICAL SPECIES SUCH AS
MANGROVES WOULD PERISH. IN PARTICULAR, DECREE 112 ALLEGED THAT
DESPITE A RESOLUTION OF THE MINISTER OF AGRICULTURE
IN 1972 UNDER PRESIDENT CALDERA FORBIDDING THE CONSTRUCTION
OF HOUSES ON STILTS ("PALAFITOS"), THE DREDGING OF
CANALSAND OTHER MARINE BOTTOMS, AND THE DISCHARGE OF
SEWAGE WATERS IN SUCH AREAS, FLAGRANT VIOLATIONS WERE STILL
TAKING PLACE. ANOTHER DECREE, NO. 110, SOUGHT TO PUT AN END
TO THESE IRREGULARITIES BY REITERATING THE PROHIBITING OF THE
MINISTRY OF AGRICULTURE'S 1972 RESOLUTION WITH THE ADDED
PROVISION THAT SO-CALLED "FLOATING HOUSES" OR HOUSEBOATS (WHICH
UNLIKE THE PALAFITOS, ARE NOT ATTACHED TO A CERTAIN LOCALE)
COULD CONTINUE TO EXIST ONLY IF THEY HAD PROPER AUTHORIZATION
FROM THE HEALTH AND AGRICULTURE MINISTRIES. THE
COMMISSION CREATED BY DECREE 112, IN THE MEANTIME,
HAD AS ITS TASK TO ASSESS THE ECOLOGICAL, DEMOGRAPHIC AND
ECONOMIC SITUATION OF EACH OF THE COASTAL AREAS AND TO
PROPOSE POSSIBLE SOLUTIONS. THESE SOLUTIONS SHOULD BE A
PART OF THE LAWS OF BEACHES AND ADJACENT AREAS, BUT UNTIL
THE LAWS ARE MADE PUBLIC THE EXACT NATURE OF THE CONSERVATION
EFFORT IN THIS FIELD WILL REMAIN UNKNOWN.

3. THE GENERAL PROBLEMS REFERRED TO IN DECREES 110 AND 112
EXIST IN THEIR MOST TYPICAL FORM IN THE COASTAL AREAS OF
CHICHIRIVICHE, MORROCOY AND TUCACAS, IN EASTERN FALCON
STATE. MANGROVE PLANTS HAVE SPREAD ALL ALONG THE COAST CREATING
A VAST AND HIGHLY ATTRACTIVE INTERNAL WATERWAY SYSTEM. DURING
THE LATE SIXTIES, PRIVATE INDIDIVIDUALS ERECTED HOUSES ON
STILTS AND PLACED HOUSEBOATS IN THESE CANALS, ESPECIALLY IN
MORROCOY, AND THE AREA BECAME AN INCREASINGLY POPULAR RECREATION
SPOT. BEFORE THE MINISTRY OF AGRICULTURE'S RESOLUTION IN 1972,
HOWEVER, LITTLE REGULATION IN MATTERS SUCH AS SEWAGE DISPOSAL
EXISTED. MOREOVER, MANY STRUCTURES HAD REPORTEDLY GONE UP IN
THE AREA WITHOUT PERMITS. ACCORDING TO THE GOV, THIS
SITUATION HAD LED TO A SERIOUS DETERIORATION OF THE AREA'S
ECOLOGICAL SYSTEM THROUGH POLLUTION OF VARIOUS
KINDS AND THROUGH THE DESTRUCTION OF SOME MANGROVES,
ALL OF WHICH COULD SPOIL AN AREA OF, IN THE WORDS, OF ONE OF
THE DECREES., "SINGULAR NATURAL SCENIC BEAUTY."
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THE GOV THEREFORE ACTED PROMPTLY IN DECREE 113 AND CONVERTED
THE AREA INTO A NATIONAL PARK, ORDERED THE REMOVAL OF ALL
STRUCTURES ON THE WATER WITHIN SIXTY DAYS, AND PROHIBITED THE
CIRCULATION OF BOATS WITH MOTORS OF MORE THAN 15 HORSEPOWER.
THOSE DIRECTLY AFFECTED BY DECREE 113 CLAIMED THAT THE
PRESIDENT HAD BEEN MISINFORMED ABOUT THE SITUATION IN THE
AREA AND URGED THE PRESIDENT TO SOFTEN THE DECREE.
THE ISSUE THEN BECAME ONE BETWEEN THE POPULAR CLASSES AGAINST

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THE "PRIVILEGED" OF VENZUELA AS ADVERTISEMENTS FROM AN
UNIDENTIFIED SOURCE APPEARED IN THE PRESS DENOUNCING TH PLUNDER
OF NATURE PERPETRATED BY THE PRIVILEGED IN MORROCOY.
A GROUP OF MORROCOY PROPRIETORS FELT COMPELLED TO RESPOND
WITH MORE PUBLICITY. ALTHOUGH THE GOV ALMOST CERTAINLY
HAD NO PART IN THIS BIZARRE, HOSTILE EXCHANGE, IT DID
DEFINITELY CREATE THE NATIONAL PARK WIT A VIEW TOWARDS
BENEFITING POORER VENEZUELANS FOR THE DECREE STRESSED THAT THE
RECREATIONAL RESOURCES OF THE AREA SHOULD SERVE FOR THE EN-
JOYMENT FOR ALL VENEZUELA'S INHABITANTS. IN THE FACE OF THE
PLEAS OF THE PALAFITO AND HOUSEBOAT OWNERS, PRESIDENT PEREZ
SHOWED HIMSELF FLEXIBLE ON SMALL MATTERS BY POSTPONING THE
DEMOLITION DATE BY SEVERAL WEEKS IN LATE JULY, 1974, BUT
UNSHAKEABLE IN THE FUNDAMENTALS IN THAT HE MADE NO
CONCESSIONS OF SUBSTANCE. THE GOV'S EARNESTNESS IN
ENFORCING ITS DECREES BECAME AN ISUE. IT WAS ALLEGED
THAT MOST VENEZUELANS HAD BECOME ACCUSTOMED TO PAYING
LITTLE ATTENTION TO MOST MEASURES OF VENEZUELAN
DEMOCRATIC ADMIISTRATIONS, CONFIDENT THAT TH GOV WOLD
EITHER NEVER GET AROUND TO ENFORCING THE MEASURES OR THAT
THE AUTHORITIES WOLD BE SWAYED FROM THEIR PURPOSE BY AN INTEREST
GROUP. PRESIDENT PEREZ' FIRM STAND ON THIS ISSUE, AS IN OTHERS,
IS INTENDED TO COUNTER SUCH ATTITUDES.

4. THE CONTENT OF THE ABOVE-MENTIOND DECREES WILL CERTAINLY
BE REFLECTED IN TH DRAFT LAW OF BEACHES AND ADJACENT ZONES
NOW BEFORE CONGRESS. HOWEVER, IT IS POSSIBLE THAT VARIOUS INTEREST
GROUPS WILL HAVE AN EFFECT ON THE FINAL FORM OF THE LAW.
RECENTLY THE NATIOAL CHAMBER OF TOURISM PUBLICLY URGED THAT
THE LAW SHOULD INCLUDE PROVISIONS FAVORABLE TO THE
DEVELOPMENT OF BEACHES, LAKES, RIVERS AND ISLANDS IN KEEPING WITH
THE PRINCIPLE THAT SUCH AREAS ARE FOR PUBLIC ENJOYMENT, AND
SHOULD AVOID THE APPLICATION OF RULES THAT TEND TO INHIBIT
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ECONOMIC AND SOCIAL GROWTH. THE CHAMBER SAID THAT THE
CONSTRUCTION OF POPULAR BATHING RESORTS IN COASTAL AREAS WITH
EASY ACCESS AND COMMUNICATIONS, GOOD TRANSPORTATION, AND
PROXIMITY TO LARGE URBAN AREAS SHOULD BE THE PROVINCE OF THE
NATIONAL GOVERNMENT WITH THE END THAT THESE AREAS BECOME
WORKER RECREATION AREAS, AND THAT DEVELOPMENT OF OTHER AREAS
SHOULD B LEFT TO PRIVATE INITIATIVE. THE CHAMBER FEELS
THAT BEFORE ANY MASSIVE DEVELOPENT IS UNDERTAKEN ALONG THE
COASTS IT IS NECESSARY TO FORMULATE A THESIS THAT WILL
HARMONIZE ECONOMIC INTERESTS WITH ECOLOGICAL INTERESTS SINCE
AN EXTREME POSITION ON EITHER HAND WOULD BE CONTRARY TO
THE PUBLIC WELFARE. IN OTHER WORDS, DEVELOPMENT SHOULD
BE PLANNED INSUCH A MANNER THAT IT WILL BE POSSIBLE TO AVOID
THE DESTRUCTIONOF THE LANDSCAPE, CONTAMINATION OF THW ATERS,
AND DAMAGE TO MARINE LIFE--NOT ONLY ON AESTHETIC GROUNDS, BUT

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ALSO BECAUSE ABUSES SUCH AS LITTERING AND CONTAMINATION
PRODUCE HEALTH HAZARDS AND IN THE END DESTROY THE ATTRACTIVENESS
AND THE USEFULNESS OF A RECREATIONAL AREA. ACCORDING TO
THE CHAMBER, THE CENTRAL LITTORAL SHOULD BE ZONED BY THE STATE
WITH THE OBJECTIVE OF DETERMINING WHICH AREAS SHOULD BE SET
ASIDE FOR DEVELOPMENT BY THE GOVERNMENT, AND WHICH SHOULD
BE LEFT TO PRIVATE DEVELOPMENT.

5. NOTE: A COPY OF THE "GACETA OFFICIAL," MAY 27, 1974,
WHICH CONTAINS DECREES 105 THROUGH 118, MOST OF WHICH DEAL WITH
ECOLOGY AND CONSERVATION MATTERS, IS BEING FORWARDED PER REFTEL
INSTRUCTIONS.
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